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10 *Attorneys for John Trotter, Trustee of the PG&E Fire Victim Trust*

11 [Additional counsel appear in signature block]

12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN JOSE DIVISION**

15
16 JOHN TROTTER, Trustee of the PG&E FIRE
17 VICTIM TRUST,

17 Plaintiff,

18 v.

18 ANTHONY F. EARLEY, JR., JASON P.
19 WELLS, GEISHA J. WILLIAMS, PATRICK
20 M. HOGAN, JULIE M. KANE, DINYAR B.
21 MISTRY, DAVID S. THOMASON, LEWIS
22 CHEW, FRED J. FOWLER, MARYELLEN C.
23 HERRINGER, JEH C. JOHNSON, RICHARD
24 C. KELLY, ROGER H. KIMMEL, RICHARD
25 A. MESERVE, FORREST E. MILLER, ERIC
26 D. MULLINS, ROSENDO G. PARRA,
27 BARBARA L. RAMBO, ANNE SHEN
28 SMITH, NICKOLAS STAVROPOULOS, and
BARRY LAWSON WILLIAMS,

Defendants,

and

PG&E CORPORATION and PACIFIC GAS
AND ELECTRIC COMPANY,

Nominal Defendant.

Case No. 5:18-cv-07128-EJD

STIPULATION AND
[PROPOSED] ORDER
VOLUNTARILY
DISMISSING ACTION

1 **WHEREAS**, on December 21, 2018, Plaintiff Ron Williams filed the present
2 shareholder derivative complaint on behalf of Nominal Defendant PG&E Corporation and
3 Pacific Gas and Electric Company (“PG&E”) against the Individual Defendants;¹

4 **WHEREAS**, on January 29, 2019, PG&E commenced a voluntary Chapter 11 proceeding
5 (the “Chapter 11 Cases”) in the United States Bankruptcy Court for the Northern District of
6 California (the “Bankruptcy Court”);

7 **WHEREAS**, Justice John Trotter (Ret.) has been appointed as the Trustee of the PG&E
8 Fire Victim Trust, with full authority to pursue the Assigned D&O Rights and Causes of Action
9 on behalf of the PG&E Fire Victim Trust consistent with the terms of the PG&E Fire Victim Trust
10 Documents and the Plan and Confirmation Order;

11 **WHEREAS**, on January 7, 2021, the Court entered an order substituting the Trust for
12 Ron Williams as Plaintiff;

13 **WHEREAS**, the Trust has elected to pursue the relevant claims through related, first-filed
14 actions pending in San Francisco Superior Court, and thus desires to voluntarily dismiss this
15 action without prejudice;

16 **NOW, THEREFORE**, the parties stipulate and respectfully request that the Court enter
17 the [proposed] order providing as follows:

- 18 1. Pursuant to F.R.C.P. 41(a), Plaintiff voluntarily dismisses this action, with all parties
19 to bear their own costs and fees.

20 **IT IS SO STIPULATED.**

21 ///

22 ///

23 ///

24 _____
25 ¹ The “Individual Defendants” named in the complaint include: Anthony F. Earley, Jr., Jason P.
26 Wells, Geisha J. Williams, Patrick M. Hogan, Julie M. Kane, Dinyar B. Mistry, David S.
27 Thomason, Lewis Chew, Fred J. Fowler, Maryellen C. Herringer, Jeh C. Johnson, Richard C.
28 Kelly, Roger H. Kimmel, Richard A. Meserve, Forrest E. Miller, Eric D. Mullins, Rosendo G.
Parra, Barbara L. Rambo, Anne Shen Smith, Nickolas Stavropoulos, and Barry Lawson Williams.

1
2 Dated: March 3, 2021

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13 Dated: March 3, 2021

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1 Dated: March 3, 2021

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13 Dated: March 3, 2021

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Kane, Nickolas Stavropoulos, Dinyar B. Mistry,
David S. Thomason, and Patrick M. Hogan*

* * *

Pursuant to stipulation of the parties,

IT IS SO ORDERED.

Dated: _____

EDWARD J. DAVILA
UNITED STATES DISTRICT COURT JUDGE

1 **ATTESTATION CLAUSE**

2 I, Francis A. Bottini, Jr., am the ECF User whose identification and password are being
3 used to file this Stipulation and [Proposed] Order Voluntarily Dismissing Action. I hereby
4 attest that the above-signed counsel have concurred in this filing. I declare under penalty of
5 perjury under the laws of the United States of America that the foregoing is true and correct.
6 Executed this 3rd day of March, 2021 at La Jolla, California.

7
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